

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

ANGELA JONES ALEXANDER

vs.

RUBEN S. MARTIN, III, et al.

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CASE NO. 2:08-CV-400-DF-CMC

**ORDER**

Pending before the court is plaintiff Angela Jones Alexander's motion for protective order or, alternatively, to quash deposition notice (Dkt. No. 420). This motion was referred to United States Magistrate Judge Chad Everingham pursuant to 28 U.S.C. § 636. The plaintiff seeks to quash the subpoena duces tecum and the deposition notice of Dr. Charles Diamond, which was to take place in Houston, Texas. The court GRANTS in part and DENIES in part plaintiff's motion. The deposition shall take place in New York, New York on Wednesday, September 22, 2010, beginning at either 2:00 or 3:00 p.m. Eastern Time, depending on the witness's availability. Further, with respect to the *duces tecum*, the court grants the plaintiff's motion to quash the first category of requested documents, but the court orders Dr. Diamond to produce the second category of documents at his deposition.

SIGNED this 21st day of September, 2010.

  
CHARLES EVERINGHAM IV  
UNITED STATES MAGISTRATE JUDGE